

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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DARNELL E. WILLIAMS and YESSENIA M. )  
TAVARES, )  
Plaintiffs, )  
v. ) C.A. No. 16-11949-LTS  
ELISABETH DEVOS, in her official capacity as )  
Secretary of Education, )  
Defendant. )  
\_\_\_\_\_  
)

**ASSENTED-TO MOTION TO CONTINUE AUGUST 3, 2018 HEARING**

Defendant Elisabeth DeVos, in her official capacity as Secretary of Education, by and through her attorney, Andrew E. Lelling, the United States Attorney for the District of Massachusetts, hereby seeks to continue the motion hearing currently set for August 3, 2018.

As grounds therefore, Defendant states:

1. This is a complex administrative case involving substantial briefing, including the instant cross motions for judgment set for argument at a hearing presently scheduled for August 3, 2018.
2. The undersigned Assistant U.S. Attorney is familiar with the facts, procedural history, briefs, arguments and posture of this case. There is no other attorney assigned from the Department of Justice.
3. The undersigned Assistant U.S. Attorney will be out of state from July 28, 2018 through August 12, 2018.
4. As such, Defendant requests a continuance so that the undersigned Assistant U.S. Attorney can appear and argue on her behalf.

5. Plaintiffs assent to the requested continuance.
6. Counsel have conferred with Court staff and request that the hearing be continued to a date that is convenient to the Court during September 2018.
7. All counsel are available from September 10-13 and 19-21, 2018.

WHEREFORE, Defendant respectfully requests that the Court grant her motion and continue the August 3, 2018 hearing to a date in September 2018 that is convenient for the Court.

Respectfully submitted,

DEFENDANT ELISABETH DEVOS, in her official capacity as Secretary of Education,

By her attorneys,

ANDREW E. LELLING  
United States Attorney

By: /s/ Jessica P. Driscoll  
Jessica P. Driscoll, BBO No. 655394  
Assistant United States Attorney  
United States Attorney's Office  
John Joseph Moakley U.S. Courthouse  
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Jessica.Driscoll@usdoj.gov

Dated: July 20, 2018

**Local Rule 7.1 Certificate**

I hereby certify that I contacted Plaintiffs' attorneys, Toby Merrill, who indicated that Plaintiffs assent to the relief requested by this motion.

/s/ Jessica P. Driscoll  
Jessica P. Driscoll  
Assistant United States Attorney

Dated: July 20, 2018

**CERTIFICATE OF SERVICE**

I, Jessica P. Driscoll, Assistant United States Attorney, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants by First Class Mail.

*/s/ Jessica P. Driscoll*

Jessica P. Driscoll

Assistant United States Attorney

Dated: July 20, 2018